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Application No.: 09/802,709
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PATENT


REMARKS

As a preliminary matter, the undersigned wishes to thank Examiner Fay and Examiner Low for taking the time to discuss the outstanding rejections during the interview on August 16, 2004.

As was confirmed at the interview, claims 49 and 50 (as well as the claims depending from them) are in condition for allowance but for the issue of obviousness-type double patenting. Although there has been no showing that those of ordinary skill in the art would have found these claims to have been obvious in view of the claims of Application Serial No. 09/253,317, Applicants submit herewith the requested terminal disclaimer and cancel the other pending claims without prejudice to their presentation in a continuing patent application. Applicants do so, however, solely in an attempt to advance prosecution of this patent application. Applicants' submission of the terminal disclaimer does not constitute, and should not be construed to constitute, an acknowledgment of obviousness or any other substantive relationship among the involved patent claims. Nor should Applicants' cancellation of claims be construed as an admission with respect to any rejection entered against a canceled claim.

In view of the foregoing, however, Applicants submit that the pending claims are in condition for ready allowance, and therefore respectfully request an early indication of allowability.

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